



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Docket ID FEMA-2011-0002

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

ADDRESSES: The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for each community listed. These modified BFEs have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modified BFEs are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter

requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

These modified BFEs are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This final rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p.376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Baldwin (FEMA Docket No.: B-1211)	City of Orange Beach (11-04-4328P)	June 22, 2011 June 29, 2011 <u><i>The Islander</i></u>	The Honorable Tony Kennon Mayor, City of Orange Beach 4099 Orange Beach Boulevard Orange Beach, AL 36561	June 14, 2011	015011
Alabama: Madison (FEMA Docket No.: B-1211)	City of Huntsville (10-04-7862P)	June 22, 2011 June 29, 2011 <u><i>The Huntsville Times</i></u>	The Honorable Tommy Battle Mayor, City of Huntsville 308 Fountain Circle, 8th Floor Huntsville, AL 35801	October 27, 2011	010153
Arizona: Maricopa (FEMA Docket No.: B-1206)	City of Peoria (11-09-0647P)	June 2, 2011 June 9, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Bob Barrett Mayor, City of Peoria 8401 West Monroe Street Peoria, AZ 85345	October 7, 2011	040050
Arizona: Maricopa (FEMA Docket No.: B-1206)	Unincorporated areas of Maricopa County (11-09-0647P)	June 2, 2011 June 9, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Andrew Kunasek Chairman, Maricopa County Board of Supervisors 301 West Jefferson Street, 10th Floor Phoenix, AZ 85003	October 7, 2011	040037
Arizona: Navajo (FEMA Docket No.: B-1206)	Town of Snowflake (10-09-1783P)	May 27, 2011 June 3, 2011 <u><i>The White Mountain Independent</i></u>	The Honorable Kelly Willis Mayor, Town of Snowflake 81 West 1st South Snowflake, AZ 85937	October 3, 2011	040070
California: Shasta (FEMA Docket No.: B-1206)	Unincorporated areas of Shasta County (10-09-3227P)	June 1, 2011 June 8, 2011 <u><i>The Red Bluff Daily News</i></u>	The Honorable Les Baugh Chairman, Shasta County Board of Supervisors 1450 Court Street, Suite 308B Redding, CA 96001	October 6, 2011	060358
California: Tehama (FEMA Docket No.: B-1206)	Unincorporated areas of Tehama County (10-09-3227P)	June 1, 2011 June 8, 2011 <u><i>The Anderson Valley Post</i></u>	The Honorable Gregg Avilla Chairman, Tehama County Board of Supervisors 727 Oak Street Red Bluff, CA 96080	October 6, 2011	065064

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: Douglas (FEMA Docket No.: B-1219)	Unincorporated areas of Douglas County (11-08-0044P)	July 7, 2011 July 14, 2011 <u><i>The Douglas County News-Press</i></u>	The Honorable Jill Repella Chair, Douglas County Board of Commissioners 100 3rd Street Castle Rock, CO 80104	June 30, 2011	080049
Kentucky: Fayette (FEMA Docket No.: B-1211)	Lexington-Fayette Urban County Government (11-04-0368P)	June 22, 2011 June 29, 2011 <u><i>The Lexington Herald-Leader</i></u>	The Honorable Jim Gray Mayor, Lexington-Fayette Urban County Government 200 East Main Street Lexington, KY 40507	October 27, 2011	210067
Nevada: Clark (FEMA Docket No.: B-1211)	City of Las Vegas (11-09-1593P)	June 23, 2011 June 30, 2011 <u><i>The Las Vegas Review-Journal</i></u>	The Honorable Oscar B. Goodman Mayor, City of Las Vegas 400 Stewart Avenue Las Vegas, NV 89101	June 16, 2011	325276
North Carolina: Alamance (FEMA Docket No.: B-1206)	City of Burlington (10-04-4375P)	May 6, 2011 May 13, 2011 <u><i>The Times-News</i></u>	The Honorable Ronnie K. Wall Mayor, City of Burlington 425 South Lexington Avenue Burlington, NC 27216	September 12, 2011	370002
North Carolina: Alamance (FEMA Docket No.: B-1206)	Town of Elon (10-04-4375P)	May 6, 2011 May 13, 2011 <u><i>The Times-News</i></u>	The Honorable Jerry R. Tolley Mayor, Town of Elon 104 South Williamson Avenue Elon, NC 27244	September 12, 2011	370411
North Carolina: Buncombe (FEMA Docket No.: B-1206)	Unincorporated areas of Buncombe County (10-04-2274P)	May 13, 2011 May 20, 2011 <u><i>The Asheville Citizen-Times</i></u>	Ms. Wanda Greene Buncombe County Manager 205 College Street, Suite 300 Asheville, NC 28801	September 19, 2011	370031
North Carolina: Davidson (FEMA Docket No.: B-1206)	Unincorporated areas of Davidson County (10-04-3473P)	May 6, 2011 May 13, 2011 <u><i>The High Point Enterprise</i></u>	Mr. Robert Hyatt Davidson County Manager 913 Greensboro Street Lexington, NC 27292	September 12, 2011	370307

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
North Carolina: Guilford (FEMA Docket No.: B-1206)	City of High Point (10-04-3473P)	May 6, 2011 May 13, 2011 <u><i>The High Point Enterprise</i></u>	The Honorable Rebecca R. Smothers Mayor, City of High Point 211 South Hamilton Street High Point, NC 27261	September 12, 2011	370113
North Carolina: Madison (FEMA Docket No.: B-1206)	Unincorporated areas of Madison County (10-04-8485P)	March 30, 2011 April 6, 2011 <u><i>The News-Record & Sentinel</i></u>	Mr. Steve Garrison Madison County Manager 2 North Main Street Marshall, NC 28753	August 4, 2011	370152
North Carolina: Union (FEMA Docket No.: B-1209)	Unincorporated areas of Union County (11-04-1541P)	June 2, 2011 June 9, 2011 <u><i>The Charlotte Observer</i></u> and <u><i>The Enquirer-Journal</i></u>	Ms. Cynthia Coto Union County Manager Union County Government Center 500 North Main Street, Room 918 Monroe, NC 28112	October 7, 2011	370234
North Carolina: Union (FEMA Docket No.: B-1209)	Village of Marvin (11-04-1541P)	June 2, 2011 June 9, 2011 <u><i>The Charlotte Observer</i></u> and <u><i>The Enquirer-Journal</i></u>	The Honorable Nick Dispenziere Mayor, Village of Marvin 10004 New Town Road Marvin, NC 28173	October 7, 2011	370514

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: December 20, 2011

Sandra K. Knight,

Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

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